

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM A. ASH,

Plaintiff,

v.

D.O.C., *et al.*,

Defendants.

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CIVIL ACTION NO. 3:CV-17-0957

(Judge Caputo)

O R D E R

**AND NOW**, this 2nd day of **JANUARY, 2018**, in accordance with the accompanying Memorandum issued this date, it is **ORDERED** that:

1. Mr. Ash's Amended Complaint (ECF No. 11) is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim for which relief can be granted.
2. Plaintiff's claims against the Pennsylvania Department of Corrections is **DISMISSED** with prejudice.
3. Within twenty-one (21) days from the date of this Order, Mr. Ash may file a second amended complaint in this action in accordance with the foregoing Memorandum.
4. The Clerk of Court shall forward to Plaintiff two (2) copies of this Court's prisoner civil-rights complaint form which Mr. Ash shall use in preparing any second amended complaint he may file.
5. Failure to file a second amended complaint as directed within the required time will result in this action being dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons set forth in the accompanying Memorandum.

/s/ A. Richard Caputo

**A. RICHARD CAPUTO**

**United States District Judge**